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Calendar No. 764

101ST CONGRESS *2d Session*	SENATE	REPORT 101-413

CERTIFICATE OF DOCUMENTATION FOR THE VESSEL "SOLITAIRE"

Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

OF THE

SENATE COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ON

S. 2714

AUGUST 2 (legislative day, JULY 10), 1990.—Ordered to be printed

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Mr. HOLLINGS, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 2714]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 2714) to permit issuance of a certificate of documentation for employment in the coastwise trade of the United States for the vessel the *Solitaire*, having considered the same, reports favorably thereon with an amendment and recommends that the bill do pass.

PURPOSE OF THE LEGISLATION

S. 2714, as reported, grants coastwise trading privileges to the vessel *Solitaire*.

BACKGROUND AND NEEDS

Subject to certain limited exceptions, the law known as the Jones Act, section 27 of the Merchant Marine Act of 1920 (46 App. U.S.C. 883), together with the vessel documentation requirements, sections 12106 through 12108 of title 46, U.S.C. provides that only those vessels built in the United States, continuously documented under the laws of the United States, and continuously owned by U.S. citizens may transport merchandise or passengers in the coastwise trade, or engage in the fisheries, of the United States.

Where the facts applicable to a particular vessel suggest that the U.S.-built or U.S.-owned requirements have not been satisfied, the Coast Guard may not issue a document granting coastwise trading or fishery privileges for that vessel unless the requirements of the Jones Act and title 46 are statutorily waived.

The vessel *Solitaire,* U.S. official number 521894, is a 46-foot, 24 gross-ton sailboat with a 6-person capacity. The owner intends to use the vessel for charter cruises off the coast of Florida.

While the vessel was rebuilt in Bristol, MD in 1969, the hull was constructed in Oakville, Ontario, Canada. Therefore, the owner of the *Solitaire* is seeking a statutory waiver of the Jones Act and title 46 because the vessel does not qualify as having been built in the United States.

LEGISLATIVE HISTORY

S. 2714 was introduced in the Senate on June 7, 1990, by Senator Graham. In open executive session on June 27, 1990, the Committee considered S. 2714, and ordered the legislation reported favorably without objection.

ESTIMATED COSTS

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 17, 1990.

Hon. ERNEST F. HOLLINGS,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 2714, a bill to permit issuance of a certificate of documentation for employment in the coastwise trade of the United States for the vessel *Solitaire.* The bill was ordered reported by the Senate Committee on Commerce, Science, and Transportation on June 27, 1990. Enactment of S. 2714 would result in no cost to the Federal Government or to State or local governments.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis, who can be reached at 226–2860.

Sincerely,

ROBERT D. REISCHAUER,
Director.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation, as reported.

Because S. 2714 does not create any new programs, the legislation will have no additional regulatory impact, and will result in no additional reporting requirements. The legislation will have no further effect on the number or types of individuals and businesses regulated, the economic impact of such regulation, the personal privacy of affected individuals, or the paperwork required from such individuals and businesses.

SECTION-BY-SECTION ANALYSIS

The bill, as amended, consists of one section. It provides that, notwithstanding sections 12106, 12107, and 12108 of title 46, U.S.C., and section 27 and 27a of the Merchant Marine Act, 1920 (46 App. U.S.C. 883, 883–1), as applicable on the date of enactment of the bill, the vessel *Solitaire,* U.S. official number 521894, is eligible to engage in the coastwise trade and the Secretary of Transportation may issue a certificate of documentation for such vessel.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, the Committee states that the bill as reported would make no change to existing law.